

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

THE DIOCESE OF ROCHESTER,

Debtor.

Chapter 11 Case

Case No. 19-20905

**JOINT NOTICE OF HEARING TO CONSIDER
PROFESSIONAL FEE APPLICATIONS**

PLEASE TAKE NOTICE, that each of (i) Bond, Schoeneck & King, PLLC, counsel for The Diocese of Rochester, (the “Diocese”); (ii) Harris Beach, PLLC, special counsel for the Diocese; (iii) Blank Rome, LLP, special insurance counsel for the Diocese; (iv) Bonadio & Co., LLP, accountants for the Diocese; (v) Pachulski Stang Ziehl & Jones LLP, counsel for the Official Committee of Unsecured Creditors; (vi) Burns Bair LLP, special insurance counsel to the Official Committee of Unsecured Creditors; and (vii) Stout Risius Ross, LLC (f/k/a The Claro Group, LLC), valuation expert for the Official Committee of Unsecured Creditors, have filed applications (each, an “Application”) for interim allowance and payment of professional fees and expenses incurred in the above-captioned case. The amounts of fees and expenses requested by the foregoing professionals on an interim basis pursuant to the Applications are as follows:

Applicant	Fees Requested	Expenses Requested	Total	Application Period
Bond, Schoeneck & King, PLLC <i>Counsel for Diocese</i>	\$895,772.59	\$25,650.77	\$921,423.36	1/1/24 – 7/31/24
Harris Beach, PLLC <i>Special Counsel for Diocese</i>	\$45,456.50	\$13,580.17	\$59,036.67	1/1/24 – 7/31/24
Blank Rome, LLP <i>Special Insurance Counsel for Diocese</i>	\$46,276.99	\$3,817.43	\$50,094.42	1/1/24 – 7/31/24
Bonadio & Co., LLP <i>Accountants for Diocese</i>	\$53,500.00	\$0.00	\$53,500.00	2/1/24 – 6/30/24

Pachulski Stang Ziehl & Jones LLP <i>Counsel for Creditors' Committee</i>	\$1,238,050.00	\$51,523.68	\$1,289,573.68	1/1/24 – 7/31/24
Burns Bair LLP <i>Special Insurance Counsel for Creditors' Committee</i>	\$401,847.00	\$17,372.92	\$419,219.92	1/1/24 – 7/31/24
Stout Risius Ross, LLC (f/k/a The Claro Group, LLC) <i>Valuation Expert for Creditors' Committee</i>	\$338,269.50	\$1,560.55	\$339,830.05	1/1/24 – 7/31/24

PLEASE TAKE FURTHER NOTICE, that a hearing to consider the Applications will be held telephonically before the Honorable Paul R. Warren, United States Bankruptcy Judge for the Western District of New York on the **21st day of November, 2024 at 11:00 a.m.**, or as soon thereafter as counsel can be heard by (1) dialing (571) 353–2301; (2) when prompted for the number you wish to dial, dial 808325466#; and (3) when prompted for the security pin, enter 9999#.

PLEASE TAKE FURTHER NOTICE, that responses in opposition to the relief requested in the Applications, if any, must be filed with the United States Bankruptcy Court Clerk's Office in Rochester, New York and served upon (i) counsel for the Diocese, Bond, Schoeneck & King, PLLC, One Lincoln Center, Syracuse, New York 13202 (Attn: Stephen A. Donato and Charles J. Sullivan); (ii) the Office of the United States Trustee, Federal Office Building, 100 State Street, Rochester, New York 14614 (Attn: Kathleen D. Schmitt); (iii) counsel for the Official Committee of Unsecured Creditors, Pachulski Stang Ziehl & Jones, LLP, 780 Third Avenue, 34th Floor, New York, New York 10017 (Attn: Ilan D. Scharf) and (iv) the respective applicant(s) at the address(es) set forth on the attached schedule, **not less than 72 hours prior to the scheduled date and time of the hearing.**

Dated: October 24, 2024
Syracuse, New York

BOND, SCHOENECK & KING, PLLC

By: /s/ Stephen A. Donato
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SCHEDULE OF APPLICANTS

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Harris Beach, PLLC

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Pittsford, NY 14534

Blank Rome, LLP

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Bonadio & Co, LLP

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Pittsford, NY 14534

Pachulski Stang Ziehl & Jones LLP

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Burns Bair LLP

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**Stout Risius Ross, LLC
(f/k/a The Claro Group)**

Attn: Katie McNally
1 S. Wacker Drive, 27th Floor
Chicago, IL 60606

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re:

Case No. 19-20905

The Diocese of Rochester,

Chapter 11

Debtor.

**TENTH APPLICATION FOR INTERIM
COMPENSATION AND REIMBURSEMENT OF EXPENSES OF
HARRIS BEACH PLLC AS SPECIAL COUNSEL TO THE DEBTOR**

TO: THE HONORABLE PAUL. R WARREN
UNITED STATES BANKRUPTCY JUDGE:

Harris Beach PLLC (“Harris Beach”) hereby submits this Tenth Application for Interim Compensation and Reimbursement of Expenses (“Application”) for compensation for services rendered and reimbursement of expenses incurred on behalf of the above-captioned debtor and debtor in possession (the “Debtor”) from January 1, 2024 through July 31, 2024 (the “Tenth Interim Compensation Period”), and respectfully states as follows:

1. Harris Beach is a professional limited liability company engaged in the practice of law with an office located at 99 Garnsey Road, Pittsford, New York 14534. The undersigned is a member of Harris Beach and is an attorney duly licensed to practice in the Courts of the State of New York and the United States District Courts for the Western, Southern, Northern and Eastern Districts of New York.

2. Harris Beach submits this Application for allowance of interim compensation in the total amount of \$45,456.50 and also for reimbursement of actual and necessary expenses in the amount of \$13,580.17 incurred in the course of its representation of the Debtor in this Chapter 11

Case during the Tenth Interim Compensation Period. As explained in more detail in paragraph 6 below, of that \$45,456.50, \$15,508.10 in fees remain unpaid and \$1,911.65 in expenses remain unpaid.

GENERAL BACKGROUND

3. On September 12, 2019 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (11 U.S.C. §101 *et seq.*, the “Bankruptcy Code”) with the United States Bankruptcy Court for the Western District of New York (the “Court”), commencing the Debtor’s chapter 11 case (“Chapter 11 Case”). The Debtor continues to operate its business and manage its properties as a debtor in possession.

4. By Order dated November 22, 2019 (Doc. 273), this Court appointed Harris Beach as special counsel for the Debtor pursuant to 11 U.S.C. §327(e), based in part upon the prior affidavit of Philip G. Spellane, Esq., dated October 7, 2019 (Doc. 84-2). The special counsel services rendered by Harris Beach for the Debtor are in connection with: (i) the review and analysis of pending and potential civil actions and claims arising under the Child Victims Act enacted by the New York State Legislature on January 28, 2019 (“CVA Claims”), including providing assistance to the Debtor’s counsel in this Chapter 11 proceeding with regard to insurance coverage issues; (ii) that certain subpoena dated September 6, 2018 issued to the Debtor by the Office of the Attorney General of the State of New York (“AG Subpoena”); and (iii) certain labor and employment matters and also specific real estate matters.

5. A description of the work that Harris Beach has performed, and continues to perform, for the Debtor throughout the Tenth Interim Compensation Period is detailed in paragraphs 4 through 19 of the First Interim Application (dated April 8, 2020; Doc. 499). Further, the

specifics of those special services that Harris Beach provided to the Debtor during the Tenth Interim Compensation Period are detailed in invoices attached as Exhibits A through G.

THE PENDING APPLICATION

6. In support of the pending Application, I attach copies of the Harris Beach invoices for services rendered and expenses incurred during the Tenth Interim Compensation Period. Those fees and expenses are summarized in the following chart.

<u>Exhibit</u>	<u>Date of Invoice</u>	<u>Period of Fees and Expenses</u>	<u>Invoice Fees</u>	<u>Invoice Expenses</u>	<u>Amount of Fees Unpaid</u>	<u>Amount of Expenses Unpaid</u>
A	2/21/24	1/1/24-1/31/24	\$6,526.50	\$1,911.65	\$1,305.30	-0-
B	3/21/24	2/1/24-2/29/24	\$4,412.50	\$1,911.65	\$882.50	-0-
C	4/30/24	3/1/24-3/31/24	\$4,249.00	\$1,911.65	\$849.80	-0-
D	5/17/24	4/1/24-4/30/23	\$8,431.50	\$2,022.75	\$1,686.30	-0-
E	6/13/24	5/1/24-5/31/24	\$8,092.00	\$1,999.17	\$1,618.40	-0-
F	7/16/24	6/1/24-6/30/24	\$5,724.00	\$1,911.65	\$1,144.80	-0-
G	8/21/24	7/1/24-7/31/24	\$8,021.00	\$1,911.65	\$8,021.00	\$1,911.65
TOTALS			\$45,456.50	\$13,580.17	\$15,508.10	\$1,911.65

7. Our firm previously filed with the Court monthly fee statements for all of the months set forth in the foregoing chart. Mark Bruh, Trial Attorney in the Office of the Department of Justice as United States Trustee, authorized our firm to file with the Court a Certificate of No Objection with respect to the invoices dated February 21, 2024, in a Certificate of No Objection that was filed on June 10, 2024 (Doc. 2664). With regard to the invoices dated March 21, 2024 and April 30, 2024, Mr. Bruh confirmed on June 27, 2024 that he had no objections to file the Certificates of No Objection and a joint Certificate of No Objection was filed on July 1, 2024 (Doc. 2683). With regard to the invoices dated May 17, 2024 and June 13, 2024, Mr. Bruh confirmed on July 22, 2024 that the DOJ had no objections to file the Certificate of No Objection and a joint Certificate of No Objection was filed on July 22, 2024 (Doc. 2722). With respect to the invoices dated July 16, 2024, Mr. Bruh confirmed on September 5, 2024 that he had no objections to file the Certificate of No Objection and a Certificate of No Objection was filed on September 5, 2024 (Doc. 2769). Regarding invoices dated August 21, 2024, Mr. Bruh confirmed on September 23, 2024 that he had no objections to file the Certificate of No Objection and a Certificate of No Objection was filed on September 23, 2024. As of the time of drafting this submission, there are no objections on the docket.

8. I requested the Debtor payment of 80% of the allowed fees for services and 100% of the expenses detailed in each monthly statement. As noted in the foregoing chart, some of those 80% approved fees as well as portions of the incurred expenses remain unpaid as of this filing.

9. Based on the foregoing, Harris Beach now requests approval for the Debtor to pay the Total Compensation and Expenses Requested in the amount of \$59,036.67 as set forth below and also as set forth on the Summary and Cover Sheet that accompanies this application.

Total Compensation and Expenses Requested:

a. Award Sought:

Total Fees for Interim Period:	\$ 45,456.50
Total Expenses for Interim Period:	<u>\$ 13,580.17</u>
Total:	\$ 59,036.67

b. Payment Remaining Due for Interim Period:

Fees remaining due:	\$ 15,508.10
Expenses remaining due:	<u>\$ 1,911.65</u>
Total:	\$ 17,419.75

Dated: October 1, 2024

/s/Terrance P. Flynn

Terrance P. Flynn

HARRIS BEACH PLLC

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Buffalo, NY 14210

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